

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD FLEMMING,
Plaintiff,

v.

COUNTY OF ALAMEDA, et al.,
Defendants.

Case No. 14-cv-05542-TEH

**ORDER GRANTING PLAINTIFF'S
MOTION FOR LEAVE TO FILE
OPPOSITION AND SETTING
CONSOLIDATED BRIEFING AND
HEARING SCHEDULE**


Plaintiff's opposition to County Defendants' motion to dismiss was due on January 6, 2015. The Court ordered Plaintiff's counsel to show cause for her failure to file a timely opposition as required by the Local Rules. The Court is satisfied with counsel's response.

On January 21, 2015, Plaintiff filed a motion requesting leave to file his out-of-time opposition. (Docket No. 17). After reviewing the motion, the Court hereby GRANTS Plaintiff's request to file his out-of-time opposition. Note: Generally, parties should not file out-of-time submissions until granted leave to do so by the Court. Instead, the out-of-time submission should be attached as an exhibit to the motion for leave; after the Court grants leave, the party can then file the out-of-time submission. Nevertheless, the Court will accept Plaintiff's opposition, (Docket No. 18), and not require it to be re-filed.

The Court FURTHER ORDERS that the remaining briefing and hearing schedule on County Defendants' motion to dismiss shall be consolidated with the briefing and hearing schedule for State Defendant's motion to dismiss. Replies for both motions are now due on or before **February 6, 2015**, and both motions shall be set for hearing on **February 23, 2015, at 10:00 A.M.**

IT IS SO ORDERED.

Dated: 01/26/15


THELTON E. HENDERSON
United States District Judge